

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AMRES CORPORATION	:	CIVIL ACTION
	:	
v.	:	NO. 24-771
	:	
MICHAEL MUFFOLETTO, T2 FINANCIAL, LLC	:	
	:	

ORDER

AND NOW, this 25th day of April 2024, upon considering Defendants' Motion to dismiss (ECF No. 25) without timely Opposition, Plaintiff instead electing to move to amend/correct (ECF No. 26) its third amended Complaint (ECF No. 21) opposed by Defendants, following today's conference (ECF No. 27) where we heard oral argument on the proposed fourth amended Complaint after having studied the Motion to dismiss (ECF No. 25) and finding Plaintiff sufficiently pleads our specific personal jurisdiction over newly named parties Anthony Grothouse and Timothy Johnson on the claim of tortious interference with the Bucks County Plaintiff's employment agreements but not presently resolving whether Plaintiff can plead remaining claims, it is **ORDERED** we:


1. **GRANT** Defendants' Motion to dismiss (ECF No. 25) as unopposed under Local Rule 7.1:
 - a. **With prejudice** as to Plaintiff's claims for breach of fiduciary duty by T2 Financial, LLC, breach of a non-solicitation agreement by T2 Financial, LLC, and tortious interference by Michael Muffoletto;
 - b. **Without prejudice** as to Plaintiff's claims for breach of fiduciary duty by Michael Muffoletto, breach of sections 6, 7, and 8 of a non-solicitation agreement by Michael

Muffoletto, and tortious interference with Plaintiff's employment agreements by T2 Financial, LLC;

2. **GRANT** Plaintiff's Motion for leave to file a fourth amended Complaint (ECF No. 26) requiring it file, by no later than **April 29, 2024**, a fourth amended Complaint with claims not dismissed with prejudice and mindful of its obligations under Rules 8 and 11 including being informed by our concerns with its earlier pleading of breaches of sections 6 and 8 in the third amended Complaint;

3. **REQUIRE** Plaintiff timely serve the summons and fourth amended Complaint upon the newly named parties (in the hope T2 Financial, LLC's counsel may either accept or assist in service) so we can ensure review of preliminary dispositive motions at one time; and,

4. **REMIND** all parties of their continuing obligations under our March 21, 2024 Order (ECF No. 14).



KEARNEY, J.